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Xio Interactive Inc.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TETRIS HOLDING, LLC and THE
TETRIS COMPANY, LLC,

Plaintiffs,

-against-

XIO INTERACTIVE INC.,

Defendant.

Civil Action No. 3:09-CV-6115 (FLW) (DEA)

Honorable Freda L. Wolfson, U.S.D.J.
Honorable Douglas E. Alpert, U.S.M.J.

**DECLARATION OF SONALI D. MAITRA IN SUPPORT OF
DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION
FOR SUMMARY JUDGMENT**

I, Sonali D. Maitra, declare as follows:

1. I am an attorney with the firm of Durie Tangri LLP, attorneys for Defendant Xio Interactive Inc., in this action. The factual assertions made herein are made of my personal knowledge and, if called upon to do so, I could and would testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpted pages of the deposition of Jeffrey Neu, pages 48:7-49:11, 57:19-25, taken in this action on August 11, 2011.

3. Attached hereto as Exhibit 2 is a true and correct copy of an excerpted page of the deposition of Jeffrey Neu, page 69:14-24, taken in this action on August 11, 2011.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpted pages of the deposition of Jeffrey Neu, pages 109:3-110:18, 113:22-119:22, taken in this action on August 11, 2011.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpted pages of the deposition of Jeffrey Neu, pages 111:17-112:9, taken in this action on August 11, 2011.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpted pages of the deposition of Jeffrey Neu, pages 142:15-153:22, taken in this action on August 11, 2011.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge. Executed this 25th day of October, 2011 in San Francisco, California.

Dated: October 25, 2011



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CERTIFICATE OF SERVICE

I certify that on October 25, 2011, I caused a copy of the DECLARATION OF SONALI D. MAITRA IN SUPPORT OF DEFENDANT'S OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT to be served upon plaintiffs' counsel of record via the Court's electronic filing system.

/s/ Donald A. Robinson

Donald A. Robinson